

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE**

KATHRYN REITZ, )  
                        )  
Plaintiff,           )     **CASE NO: 3:08-cv-00728**  
                        )  
v.                    )     **HON. ALETA A. TRAUGER**  
                        )  
**CITY OF MT. JULIET,**   )     **JURY DEMANDED**  
                        )  
Defendant.           )

**PLAINTIFF'S MOTION TO COMPEL**

Plaintiff Kathryn Reitz, by counsel, moves this Court for an order compelling the Defendant to produce documents identified as Nos. 3-27 and 28-51 on the Defendant's Privilege Log, a copy of which is attached to the memorandum filed in support as Exhibit 2. Defendant has waived its attorney client and work product privileges as to those documents, and defendant's counsel has refused plaintiff's counsel's request for production. In support of her motion, Plaintiff relies on the concurrently filed Memorandum of Law and exhibits.

Respectfully submitted,

/s/ Richard J. Braun

Richard J. Braun, Esq. No. 010346  
BRAUN & ASSOCIATES, PLLC  
501 Union Street  
Suite 500  
Nashville, TN 37219  
Tel: (615) 259-1550

/s/ Joseph A. Davidow

Joseph A. Davidow No. 027176  
501 Union Street  
Suite 502  
Nashville, TN 37219  
Tel: (615) 256-3605

Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing has been sent via the Electronic Filing System to the following on this the 23<sup>rd</sup> day of December, 2009.

Daniel H. Rader, III, Esq.  
Richard L. Moore, Esq.  
MOORE, RADER, CLIFT & FITZPATRICK, P.C.  
P.O. Box 3347  
Cookeville, TN 38502

/s/ Richard J. Braun

Richard J. Braun, Esq.